

## **Chapter 22 EMERGENCY SERVICES\***

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**\*Cross reference(s)**--Fire prevention and protection, ch. 30; law enforcement, ch. 46.

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### **ARTICLE I. IN GENERAL**

Secs. 22-1--22-30. Reserved.

### **ARTICLE II. BURGLAR ALARM SYSTEMS\***

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**\*State law reference(s)**--Alarm systems, MCL 338.1051 et seq.

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#### **Sec. 22-31. Definitions.**

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alarm system* means an intrusion or holdup device designed or arranged to signal, audibly, visibly, electronically or mechanically or by any combination of these methods the presence of an intrusion or holdup of residential, business or commercial property to which the police department is expected to respond. The term "alarm system" includes hostage alarms but excludes fire alarm signals.

*Alarm user* means any person or business on whose premises an alarm system is maintained within the city except for alarm systems on motor vehicles. However, if an alarm system on a motor vehicle is connected with an alarm system at a premises, the person using such system is an alarm user.

*Dial alarm* means an alarm system which automatically sends over regular telephone lines a prerecorded message or coded signal indicating the existence of an emergency situation that the alarm system was designed to detect and which is connected to and received by an agency maintained by the local government.

*Dispatch center* means the county central operations for police services communication center.

*False alarm* means the activation of an alarm system not resulting from criminal activity for which the alarm was intended.

*Police department* means the city police department.

(Code 1975, § 12-122)

**Cross reference(s)**--Definitions generally, § 1-2.

#### **Sec. 22-32. Statement of purpose.**

The police department experiences an inordinate number of false alarms from

alarm systems installed in businesses and residences within the city. These false alarms require the time and attention of dispatchers and police officers who could otherwise perform duties beneficial to the resident of the city. In addition, the inordinate number of false alarms induces a lack of attention and awareness thus endangering the safety of the officers responding thereto. The cost of responding to false alarms is unfairly absorbed by all the residents of the city rather than by the alarm user whose alarm system is causing the false alarm. It is the purpose of this article to impose upon the alarm user a charge to cover the city's cost in responding to such false alarms and to encourage the installation, maintenance and operation of alarm systems which do not cause false alarms.

(Code 1975, § 12-121)

**Sec. 22-33. Design of systems; dial alarms.**

- (a) Any alarm system designed to emit an audible siren, noise, flashing light, beacon or other sound or light annunciation so as to signal persons outside the premises shall be equipped to automatically terminate the location annunciation of the alarm system within five minutes from the initial light or sound emission.
- (b) Dial alarms designed to terminate at the dispatch center are prohibited unless written permission is received from the chief of police.

(Code 1975, § 12-123)

**Sec. 22-34. False alarms.**

- (a) For each false alarm, the alarm user shall receive a false alarm notice from the police department. The alarm user shall return the false alarm notice to the police department within 14 days of the date of the false alarm and shall state on the false alarm notice the cause of the alarm and corrective measures taken.
- (b) An alarm user shall be required to pay the city a service fee for having four or more false alarms within a calendar year. The amount of such fee shall be established by resolution of the city commission and shall cover the cost of responding to such false alarms and the cost of inspection, investigation and supervision resulting from the enforcement of this article. If the alarm user fails to pay the service fee within 60 days after billing by the city, such service fee shall be added to and made a part of the next city tax bill against the subject premises and collected in the same manner as provided by law for the collection by the city of taxes on real estate.
- (c) Alarm conditions caused by the following extenuating circumstances shall not constitute a false alarm, and the alarm shall not be counted, nor shall a fee be assessed by the city:
  - (1) Alarm system malfunctions on new installations if occurring within a 30-day period after the alarm system is installed provided that corrective measures have been instituted as attested to by the alarm user on the false alarm notice.
  - (2) Alarms activated by a major disruption of telephone or other communication systems or by motor vehicle-utility pole accidents at the discretion of the chief of police or his designee.

- (3) Meteorological or geological conditions when a large number of alarms or a particular area of the city is affected at the discretion of the chief of police or his designee.
  - (4) Alarm conditions activated by persons working on an alarm system with prior notification to the police department and the dispatch center.
  - (5) Any alarm cancelled by the alarm user or designated alarm company prior to the dispatch of any police officer to the scene.
- (d) The chief of police or his designee shall determine the existence of conditions specified in subsections (c)(1)–(4) of this section utilizing the official police report generated by the alarm activation and utilizing any other information deemed necessary to make a decision.

(Code 1975, § 12-124)

**Sec. 22-35. Defective alarm systems; unlawful use of alarm systems; penalty.**

The following acts or omissions constitute a municipal civil infraction:

- (1) Possession by an alarm user of a defective alarm system, defined as a system which reports eight false alarms within a calendar year, for whatever cause;
- (2) The activation of an alarm system by any person for a purpose other than police department response to a holdup, including an armed or unarmed robbery, larceny, or attempt to commit an armed or unarmed robbery or larceny, at a business or commercial property;
- (3) The activation of an alarm system for police department response to circumstances which do not involve an intrusion, including a breaking or entering or forcible trespass by persons unknown to the occupants, at a residential location.

(Code 1975, § 12-125)